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TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENTDocket Number (Optional)
046700-5012

In re Application of: Sam E. Kinney, Jr., et al.

Application No. 09/490,868

Filed: January 24, 2000

For: METHOD AND SYSTEM FOR DISGUISED PRICED BIDDING IN ONLINE ELECTRONIC AUCTIONS

The owner*, FreeMarkets, Inc. of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,199,050. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney of record.

Signature

May 10, 2002

Date

Kim R. Jessum, Reg. #43,694

Typed or printed name

Terminal disclaimer fee under 37 CFR 1.20(d) is included. Please charge Deposit Account 50-0310

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